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ALAMEDA COUNTY

FEB 22 2011

CLERK OF THE SUPERIOR COURT
By R.C. Hughes Deputy

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ORIGINAL

1 DAVID A. ROSENFELD, Bar No. 058163
2 CAREN P. SENCER, Bar No. 233488
3 LISL R. DUNCAN, Bar No. 261875
4 WEINBERG, ROGER & ROSENFELD
5 A Professional Corporation
6 1001 Marina Village Parkway, Suite 200
7 Alameda, California 94501-1091
8 Telephone 510.337.1001
9 Fax 510.337.1023

6 Attorneys for Plaintiffs
LAVON GODFREY and GARY GILBERT

8 JAY IAN ABOUDI, Bar No. 251984
9 THE LAW OFFICE OF JAY IAN ABOUDI
10 1855 Olympic Boulevard, Suite 210
11 Walnut Creek, California 94596
12 Telephone 925.465.5155
13 Fax 925.465.5169

11 Attorneys for Defendant
12 OAKLAND PORT SERVICES CORP.
13 d/b/a AB TRUCKING

14 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 IN AND FOR THE COUNTY OF ALAMEDA

16	LAVON GODFREY and GARY GILBERT, on)	Case No. RG08379099
17	behalf of themselves and all others similarly)	
18	situated,)	JOINT STIPULATION REGARDING
19	Plaintiffs,)	CLASS NOTICE AND [PROPOSED]
20	v.)	ORDER
21	OAKLAND PORT SERVICES CORP. d/b/a)	Dept: 20
22	AB TRUCKING, and DOES 1 through 20,)	Judge: Robert B. Freedman
23	inclusive,)	
24	Defendants.)	

24 PLAINTIFFS LAVON GODFREY AND GARY GILBERT and DEFENDANT
25 OAKLAND PORT SERVICES CORP., d/b/a AB TRUCKING ("the parties") have met and
26 conferred and thereby agree to the following:

27 //
28 //

1 1. The Class Notice filed herewith complies with California Rule of Court 3.766 and
2 shall be sent to all members of the class. (A true and correct copy of which is attached herewith as
3 Exhibit A).

4 2. Defendant shall provide Plaintiffs and the Claims Administrator with a list of
5 “drivers” (including trainees, whether paid or unpaid) in a useable format as requested by the
6 Claims Administrator by March 7, 2011. The list in a useable format shall provide names, last
7 known addresses and dates of service. This list does not constitute an admission that the list of
8 drivers were “employees” of Defendant.

9 3. Defendant shall provide Plaintiffs and the Claims Administrator upon at least ten
10 (10) days written notice with a list of the social security numbers of “drivers” (including trainees,
11 whether paid or unpaid), should it be necessary for the Claims Administrator to perform a “skip
12 trace.”

13 4. The attached Class Notice shall be sent to the class as soon as possible, but no later
14 than March 16, 2011.

15 5. The class shall be given 45 days from the mailing of the Class Notice within which
16 to return an opt-out notice to the Claims Administrator, as agreed to by the parties.

17 6. Filed herewith are true and correct copies of the Claims Administrator’s curriculum
18 vitae and description of the firm’s experience pertaining to claims administration in the context of
19 class action lawsuits chosen by the Parties. (A true and correct copy of which is attached herewith
20 as Exhibit B).

21 7. Plaintiffs shall bear the cost of notifying the class, while reserving their right to file
22 a cost bill.

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IT IS SO STIPULATED:

Dated: February 22, 2011

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: [Signature]
DAVID A. ROSENFELD
CAREN P. SENCER
LISL R. DUNCAN
Attorneys for Plaintiffs

Dated: February 22, 2011

THE LAW OFFICE OF JAY IAN ABOUDI

By: [Signature]
JAY IAN ABOUDI
Attorneys for Defendant

IT IS SO ORDERED.

Dated: _____, 2011

By: _____
JUDGE OF THE SUPERIOR COURT

118212/609284

Exhibit A

1 **SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA**

2 LAVON GODFREY and GARY GILBERT, on) Case No. RG08379099
3 behalf of themselves and all others similarly)
4 situated,) [PROPOSED] CLASS NOTICE
5)
6 Plaintiffs,)
7)
8 v.)
9)
10 OAKLAND PORT SERVICES CORP. d/b/a)
11 AB TRUCKING, and DOES 1 through 20,)
12 inclusive,)
13)
14 Defendants.)

15 **TO ALL DRIVERS WHO PERFORMED WORK FOR AB TRUCKING OUT OF ITS**
16 **OAKLAND, CALIFORNIA FACILITY FROM THE PERIOD OF MARCH 28, 2004**
17 **THROUGH MARCH 16, 2011:**

18 A CLASS ACTION LAWSUIT HAS BEEN FILED AGAINST DEFENDANT OAKLAND
19 PORT SERVICES CORP., D/B/A AB TRUCKING. YOU MAY BE A CLASS MEMBER.
20 THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT YOUR RIGHTS IN
21 CONNECTION WITH THAT LAWSUIT. PLEASE READ IT CAREFULLY.
22 YOU ARE NOT BEING SUED.

23 **A. SUMMARY OF LAWSUIT**

24 A lawsuit was filed in the California Superior Court for the County of Alameda, against Oakland
25 Port Services Corp., d/b/a AB Trucking ("AB Trucking" or "Defendant") by former employees
26 and/or "unpaid trainees" of AB Trucking, Case No. RG08379099. The Court has determined that
27 this case may proceed as a class action. A class action lawsuit is a lawsuit in which one or more
28 persons sue on behalf of themselves and others who have similar claims. This Notice is being
provided for the purpose of informing you of the lawsuit and of your rights regarding it.

The lawsuit alleges that all drivers, whether they were classified as employees or unpaid trainees,
who worked for AB Trucking between March 28, 2004 and March 16, 2011, were subject to
violations of California wage and hour laws, giving rise to claims for payment for all hours
worked, overtime payment, payment at the Oakland Living Wage rate, missed meal and rest
periods, penalties pursuant to Labor Code 203, inaccurate wage statements pursuant to Labor Code
226, as well as violations of the Unfair Competition Law (California Business and Professions
Code § 17200).

AB Trucking has denied all of the allegations in the lawsuit. The Court did not decide in favor of
the Plaintiffs or AB Trucking, and has not evaluated or ruled on Plaintiffs' claims or AB
Trucking's defenses. The Court has not made any decision about who is right or wrong in the
lawsuit or who will win at trial. This Notice is not to be understood as an expression of any
opinion of the Court.

1 **B. WHO IS COVERED BY THIS LAWSUIT?**

2 This lawsuit affects six groups of individuals (collectively "Class" or "Class Members"). The
3 Court has certified the following Class and Subclasses:

4 Class:

5 All drivers who performed work for Defendant out of its Oakland, California
6 facility from the period of March 28, 2004 through March 16, 2011.

7 Subclasses:

8 (1) The All Hours Worked Subclass

9 All drivers employed by Defendant during March 28, 2004 through March
10 16, 2011 who were not paid for all hours worked in any work week.

11 (2) The Misclassified Employee or No Wages Received Subclass

12 All individuals who were misclassified as "non-employee trainees" rather
13 than as drivers and as a result were not paid by Defendant for any hours
14 worked in any work week during March 28, 2004 through March 16, 2011.

15 (3) The Overtime Subclass

16 All drivers employed by Defendant during March 28, 2004 through March
17 16, 2011 who were not paid for hours worked over eight (8) in a day and/or
18 forty (40) in a week at an overtime rate of time-and-one-half the regular rate.

19 (4) The Living Wage Subclass

20 All drivers employed by Defendant during March 28, 2004 through March
21 16, 2011 who were paid less than the Oakland Living Wage for any hour
22 worked.

23 (5) The Meal and Rest Period Subclass

24 All drivers employed by Defendant during March 28, 2004 through March
25 16, 2011 who were not provided rest breaks and/or meal periods as required
26 by California law.

27 If you have received this notice, it is because AB Trucking's records show that you are a Class
28 Member. You may also be a member of a Subclass or Subclasses.

C. AM I REPRESENTED BY ATTORNEYS?

23 The law firm of Weinberg, Roger & Rosenfeld, 1001 Marina Village Parkway, Suite 200,
24 Alameda, California 94501 ("Class Counsel") is prosecuting this action on behalf of the Class.
25 Class Counsel represents the Class Members on a contingent basis, without any charge to Class
26 Members in this lawsuit. Any reimbursement of costs or expenses or award of attorney fees to
27 Class Counsel will be made by the Court from any recovery for the Class Members or from AB
28 Trucking directly.

1 **D. WHAT AM I GIVING UP IF I PARTICIPATE IN THIS LAWSUIT?**

2 Class Members may choose to remain in the Class or to be excluded from it ("opt out"). If you do
3 not request exclusion from the Class, you will remain a member of the Class and will be bound by
4 the outcome of the lawsuit. Any claims that you may have against AB Trucking arising from the
5 matters alleged in the class action will be determined in the class action, in which you will be
6 represented by Class Counsel. You will share in any recovery obtained for the Class, but you will
7 not be able to present the same claims in another lawsuit regardless of the outcome in this action.

8 **E. HOW DO I EXCLUDE MYSELF FROM THIS LAWSUIT?**

9 If you wish to exclude yourself from the Class, you must send a written "Request for Exclusion"
10 postmarked on or before April 11, 2011 to:

11 Godfrey, et al. v. AB Trucking Class Action Administrator
12 c/o Desmond, Marcello & Amster
13 P.O. Box 451999
14 Los Angeles, California 90045

15 The Request for Exclusion must include your name and address, and must specifically state that
16 you wish to be excluded from the plaintiff class in the case entitled *Lavon Godfrey, et al. v.*
17 *Oakland Port Services Corp. d/b/a AB Trucking*, Alameda Superior Court No. RG08379099.

18 If you request to be excluded from the Class, you will not share in any recovery (if any) that may
19 be made in the class action. You will not be bound by any judgment in the class action. You are
20 free to file your own lawsuit against the Defendant.

21 Do not send a request for exclusion if you wish to remain in the Class.

22 **F. WHAT DO I NEED TO DO TO BE A MEMBER OF THE CLASS?**

23 IF YOU WANT TO REMAIN A MEMBER OF THE CLASS, NO ACTION IS NECESSARY AT
24 THIS TIME.

25 **G. NOTICE OF YOUR NEW ADDRESS**

26 If you move after reading this notice, you should send a letter with your correct address to:

27 Administrator:

28 Godfrey, et al. v. AB Trucking Class Action Administrator
c/o Desmond, Marcello & Amster
P.O. Box 451999
Los Angeles, California 90045

H. HOW WILL MY PAYMENT AMOUNT (IF ANY) BE DETERMINED?

The amount of money (if any) owed to Class Members has not yet been determined. If you choose
to remain in the Class, you will share in any recovery (if any) that may be obtained in the class
action. You will be bound by any judgment in the class action. If you choose to remain in the
Class, Class Counsel or the Administrator will notify you should it be determined you are entitled
to a payment amount.

1 **I. WHERE DO I GET MORE INFORMATION?**

2 The above is a summary of the basic terms of the lawsuit. For a precise description of the issues,
3 you may consult the pleadings and other records in this litigation. These records may be examined
4 either:

4 (1) online on the Alameda County Superior Court's website, known as "DomainWeb,"
5 at: www.alameda.courts.ca.gov/domainweb

5 or

6 (2) in person in Room 109 at the Rene C. Davidson Courthouse at 1225 Fallon Street,
7 Oakland, California 94612, between the hours of 9:00 a.m. and 4:00 p.m., Monday
8 through Friday, excluding Court holidays.

8 The Case Number is RG08379099.

9 If you have any questions about this Notice, or this lawsuit, you may also contact Class Counsel or
10 the Administrator.

10 Class Counsel:

11

WEINBERG, ROGER & ROSENFELD
A Professional Corporation
1001 Marina Village Parkway, Suite 200
Alameda, California 94501-1091
Telephone 510.337.1001
Fax 510.337.1023
<http://www.unioncounsel.net>

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15 Administrator:

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Godfrey, et al. v. AB Trucking Class Action Administrator
c/o Desmond, Marcello & Amster
P.O. Box 451999
Los Angeles, California 90045

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20 **You may wish to seek the advice and guidance of your own attorney, at your own expense,
21 about your legal rights. You may also enter an individual appearance in the action through
22 counsel, at your own expense, but it is not necessary to do so
23 in order to be included as a member of the class.**

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23

DO NOT WRITE OR CALL THE COURT OR THE CLERK OF THE COURT.

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Exhibit B



Los Angeles | San Francisco
 Phone: 888-240-5184
 Contact: Wes Nutten or Eric Lietzow
 www.dmaaction.com

Class Action Administration: *Expert and Customized Support*

DM&A's class action department provides a full range of administration services to class and defense counsel. With over 15 years of experience and hundreds of successfully completed administration assignments, we manage and execute every stage of class action administration – from providing pre-settlement assessments of damage to distribution of settlement amounts to qualifying claimants. DM&A provides services for a wide range of cases, such as:

<ul style="list-style-type: none"> • Wage & Hour Disputes • Insurance Premium Overcharges • Telecommunication Service Overcharges 	<ul style="list-style-type: none"> • Defective Consumer Products • Construction Defects • Cemetery & Mortuary Wrongful Conduct 	<ul style="list-style-type: none"> • Discriminatory Pricing • Environmental Contamination • Securities Fraud
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Support From Start to Finish

At DM&A, we are committed to supporting our clients throughout the complex class action claims process. Our class action administration services include:

- Pre-Settlement Damage Assessment
- Class List Creation
- Pre-Certification Notice
- Class Notice
- Claim Form Processing
- Detailed Status Reports
- Settlement Distribution
- Tax Accounting & Reporting
- Communications with Class Members
- Website Design & Maintenance

Highlights of Recent Engagements

- Administered all aspects of numerous class action settlements involving alleged employment law violations by companies in a variety of industries, including home healthcare, insurance, construction, and hospitality.
- Provided notice, claims processing and settlement distribution services in connection with several class actions involving the wrongful conduct of cemetery operators.
- Identified potential class members eligible to participate in a telecommunications class action via a sophisticated statistical analysis of billing data, and subsequently administered all claims processing activities.
- Conducted class notice procedures in connection with a large environmental class action matter related to clean-up costs, diminished property values and medical monitoring expenses.
- Facilitated settlement notification via e-mail to advertisers who had been discriminated against by a periodical.

Key Reasons to Contact DM&A

Proven value —
 With over 15 years of experience, expert staff and hundreds of satisfied clients, we have the credentials and expertise to handle every project, no matter how complex.

1

Understand your issues —
 Our experience covers a wide range of industries including retail, restaurants, entertainment, healthcare, telecommunications, aerospace and insurance.

2

Provide comprehensive service —
 Our team manages and executes every stage of class action administration from preliminary damage assessment to disbursement of settlement proceeds to thousands of class members.

3

100% committed to client service —
 Our reputation is built on an unwavering commitment to thoroughness, accuracy and dependability.

4

**PROFESSIONAL
EXPERIENCE**

Mr. Nutten brings over 25 years of litigation consulting experience to Desmond, Marcello & Amster, with a practice emphasis on damage analyses, forensic accounting investigations, business valuations, and class action claims administration. Mr. Nutten has testified on numerous occasions regarding the results of his analyses.

In addition to his litigation consulting experience, Mr. Nutten has managed financial statement audits, reviews and compilations, and has prepared tax returns for corporations, partnerships and individuals.

Prior to joining Desmond, Marcello & Amster, Mr. Nutten was a Director of Litigation Consulting Services at BDO Seidman, and before that gained valuable experience at Price Waterhouse, Peterson Consulting and Biggs & Company.

**TECHNICAL AND
SPECIAL EXPERTISE**

Mr. Nutten provides litigation consulting services and expert witness testimony to clients involved in disputes. This aspect of his practice typically relates to the preparation and analysis of damage claims and forensic accounting investigations. He also provides business valuation services in commercial, litigation and eminent domain settings; and class action claims administration services in connection with large class action settlements.

Mr. Nutten uses complex financial modeling techniques, sophisticated accounting concepts, and powerful database tools in connection with the damage studies he prepares. Forensic accounting assignments often involve statistical sampling, and valuation assignments are completed in conformance with accepted methodologies and standards. Claims administration projects are executed in accordance with detailed settlement agreements and with the approval of the courts.

**EDUCATION AND
CERTIFICATIONS**

MBA degree, Finance, Loyola Marymount University
BS degree, Finance, University of Southern California
Certified Public Accountant (CPA)
Certified Management Accountant (CMA)
Accredited in Business Valuation (ABV)
Certified Fraud Examiner (CFE)

**PROFESSIONAL
AFFILIATIONS**

American Institute of Certified Public Accountants (AICPA)
California Society of Certified Public Accountants (CSCPA)
Institute of Management Accountants (IMA)
Association of Certified Fraud Examiners (ACFE)
Loyola Marymount University – Adjunct Professor of Accounting
Westchester Family YMCA – Board Member / Current Chair / Former
Vice-Chair / Former Treasurer
Westchester Neighborhood School – Former Board Member / Former
Treasurer
California Academic Decathlon – Former Board Member
Junior Achievement – Former Economics Instructor

SELECTED EXPERIENCE

Economic Damages and Forensic Accounting

Provided expert witness testimony on breach of contract and fraud damages relating to a dispute between the seller of an insurance brokerage and the acquiring corporation. Plaintiff alleged he was fraudulently induced into selling his brokerage and that following the sale, the acquisition agreement was breached. Damages resulted from the sub par performance of plaintiff's brokerage once merged into the acquiring corporation directly attributable to the actions of defendants.

Retained by a district attorney's office to calculate economic damages and measure the magnitude of a fraud perpetrated by a large tree trimming business. The analysis was completed to assist the district attorney in prosecuting a criminal action against the operators of the business for fraudulently underreporting payroll tax and workers' compensation data for hundreds of employees.

Testified on economic damages issues in a litigation matter involving a dispute between two homeowners' associations and the allocation of shared expenses between the associations. Damages were evaluated within the context of an ambiguous agreement between the parties regarding the sharing of expenses and required a detailed review of operating expenses incurred by the associations, review of supporting documentation, and research into common accounting practices employed in the industry.

Conducted a forensic accounting analysis and fraud investigation on behalf of an investor group with an ownership interest in an auto manufacturer contracted to produce a limited production run of high performance sports cars. The investigation stemmed from alleged fraudulent activities perpetrated by the plant manager at the production facility and involved a detailed analysis of cost accounting data and records.

Analyzed past and future lost earnings, and medical expense damages incurred by the plaintiff in a personal injury matter. Plaintiff was severely injured when the vehicle he was driving was hit by a police officer in transit to a crime scene. The results of the analysis were used by the district attorney's office in settlement negotiations with the plaintiff.

Calculated economic damages resulting from labor code violations involving thousands of individuals in connection with a large class action matter. Analyzed unpaid overtime, meal and rest period violations, and related penalties and interest on a claimant by claimant basis to provide an aggregate measure of damages for the class.

Testified on breach of contract damages incurred by a sales representative resulting from defendant's early termination of plaintiff's employment contract. Damages were estimated based on plaintiff's historical performance selling high end "microderm abrasion" equipment, coupled with significant industry and market research, allowing for a credible depiction of plaintiff's expected future performance.

Provided forensic accounting services to a team of governmental attorneys litigating an income tax matter involving the disallowance of expenses deducted by a large number of limited partnerships formed to allegedly fund farming activities. The forensic accounting related to the preparation of transaction databases for a series of test case partnerships and farming corporations in an effort to document the extent of farming activities actually funded by the partnerships, and the flow of funds between the entities.

Calculated economic damages and provided expert testimony relating to a breach of lease agreement matter. Plaintiff tenant sued defendant landlord for leasing a unit adjacent to plaintiff's unit in defendant's business park to a competing business. Landlord's action was in direct violation of the terms of plaintiff's lease agreement and resulted in economic harm to plaintiff.

Provided expert witness testimony on the results of a forensic accounting analysis of a large dental partnership in connection with the partnership's dissolution. The objective of the analysis was to document the profits generated by each partner within the context of a complex profit participation formula outlined in the partnership agreement.

Assisted the bankruptcy trustee in evaluating the estate of a bankrupt individual with significant commercial and industrial real estate holdings through a series of complicated multi-tier limited partnerships. The objective was to determine the value of the debtor's interest in the limited partnerships assuming the underlying real estate could be liquidated. Also involved was a detailed analysis of securities transactions in an effort to identify fraudulent conveyances.

Retained by the public defender's office to provide expert witness testimony on behalf of the defendant in a grand theft matter. Defendant allegedly perpetrated an elaborate scam whereby a finance company was advancing large sums of money in accordance with a factoring arrangement with defendant's company only to find out that the accounts receivable against which money was being advanced were for bogus invoices issued to a fictitious entity.

Provided expert deposition testimony on behalf of defendant mortgage broker and defendant lender in a dispute over a prepayment penalty provision in a commercial mortgage loan. Plaintiff alleged that the penalty provision was inconsistent with what was originally agreed to, ambiguously worded and not adequately communicated by the mortgage broker, lender and attorneys involved in the transaction. The objective of the assignment was to analyze, interpret and apply the prepayment penalty provision of the promissory note disputed by the plaintiff.

Conducted a forensic accounting investigation in connection with a dispute between a joint venture providing financing for a motion picture and the production company actually producing the film. Investigation focused on the misappropriation of profits from the film financed by the joint venture to other films being produced by the production company.

Assisted the state appointed receiver in the financial analysis of approximately 150 oil and gas limited partnerships. The objective of the engagement was to construct a model to track the flow of investor funds into and out of the various partnerships in an effort to document the misappropriation of investor funds by the general partners of the partnerships and other sponsors.

Designated as plaintiff's expert witness in a matter involving the temporary staffing business. Causes of action included breach of contract, misappropriation of trade secrets and intentional interference with a contract. Damage analysis focused on losses incurred by plaintiff attributable to the loss of a major customer and the large pool of temporary employees servicing that customer.

Retained by counsel to provide expert deposition and trial testimony in connection with damages allegedly resulting from defendant bank's failure to monitor construction activities prior to disbursement of payments to various contractors. Bank acted as disbursing agent for insurance proceeds used to rebuild an apartment complex following the Northridge earthquake. Analysis involved a review and critique of plaintiff's damage calculations relating to allegedly faulty construction work.

Provided expert witness testimony on behalf of the plaintiff in a personal injury matter involving a recording studio engineer suffering from partial hearing loss due to an injury sustained in an altercation with the owner of an equipment rental business. Plaintiff's damages stemmed from the fact that he was no longer able to operate as a studio engineer and was forced to seek alternative sources of income.

Directed the development of a large database of dealer sales information for the defendant in a series of cases involving the alleged breach of approximately 400 dealership agreements by a manufacturer of mechanic's tools. The database was used to analyze the performance of plaintiff dealers relative to "peer dealers" in an effort to quantify the damages, if any, incurred by the plaintiff dealers as a result of the manufacturer's alleged breach.

Analyzed and critiqued the reasonableness of the plaintiff's expert's damage model in a lender liability case involving a manufacturer of household metal furniture. The plaintiff alleged that the lending and consulting activities of the defendant bank resulted in the failure of the furniture manufacturer. Substantial industry research and financial analysis was used in the development of an alternative damage model.

Business Valuation

Provided consultation and expert witness testimony on loss of goodwill issues relating to a wide variety of eminent domain matters. The analysis typically involves determining the impact, if any, on the business' goodwill attributable to the "taking" of the business' property pursuant to California eminent domain law. Business types include medical practices, vehicle sales and service, restaurants and fast food establishments, convenience and liquor stores, equipment rental and various manufacturing firms.

Analyzed a pool of thousands of mortgage loans in connection with the valuation and sale of the loans. The project required a detailed financial analysis of the loan portfolio held by the client financial institution for purposes of securitization and ultimate sale to investors. Sophisticated database modeling tools were used to stratify the portfolio based on interest rate, years to maturity, fixed versus variable, loan to value, and other relevant metrics. The results of the analysis were incorporated into offering materials presented to prospective investors.

Retained by plaintiff's counsel to value a 40% interest in a successful television production company specializing in children's live action shows. The valuation included research into merger and acquisition activity in the television production industry and development of proforma financial statements for the subject company. The results of our analysis were used to facilitate a settlement between the parties.

Valued a 35% interest in a franchisor of specialty wine shops in connection with an involuntary dissolution action filed under California Corporations Code Section 1800. Our analysis involved research into valuation multiples for franchise companies and the development of financial projections for the subject franchisor. Our conclusion of value was used by the defendant corporation in its efforts to avoid dissolution by invoking the provisions of California Corporations Code Section 2000.

Prepared a business valuation of a large construction and drywall company in connection with the anticipated purchase of a 30% minority interest by majority shareholders. The valuation involved significant industry analysis and detailed financial projections regarding the expected future performance of the company.

Engaged by an extremely successful family owned furniture manufacturing company to value a 100% ownership interest in the company. The results of the analysis were to be used in negotiations with the owners of another furniture manufacturer in an effort to evaluate whether a merger of the two companies made economic sense.

Conducted a business valuation of a successful janitorial maintenance company specializing in providing janitorial services to large supermarket chains. The valuation was used to facilitate the amicable buy out of a minority shareholder in the company by other shareholders.

Retained by a furniture manufacturer to assist management in their due diligence efforts relating to the acquisition of another furniture manufacturer. The project involved a business valuation of the target company assuming the implementation of various operational improvements by the acquiring company.

Class Action Claims Administration

Assisted the court appointed referee in the claims administration and distribution of settlement proceeds in a class action matter involving failed investments. Activities involved proofing investor claims, computation of settlement amounts due each investor, distribution of settlement checks, and filing of all necessary tax forms.

Provided claims administration services to class counsel in a class action matter in the healthcare industry. Damages related to insurance premiums charged by an HMO in excess of allowable amounts. A database of class member information was maintained, class notice procedures were managed, claim forms were proofed adhering to a complex grading system, and settlement amounts were computed and distributed to all qualifying class members.

Administered all aspects of a class action settlement involving alleged employment law violations by a large employer of home healthcare workers. Managed all communications with the class, processed claims made by class members, calculated distribution amounts pursuant to a formula agreed to by the parties, and computed and reported all tax withholding requirements relating to the settlement.

Facilitated class notice procedures via electronic mail distribution of a settlement notice to a class comprised of individual advertisers discriminated against by the periodical in which advertisements were placed. Detailed statistics were maintained and provided to counsel and the court regarding the success of all electronic mail communications with members of the class.

Retained by class counsel to administer all aspects of the claims process for two class actions relating to the cemetery and mortuary businesses. The cases stemmed from wrongful actions taken by the owners and operators of two cemeteries and a number of mortuaries. Class notice procedures involved mass mailings to class members, publication of notices in newspapers, posting of notices on the Internet, and posting of notices on-site at the cemeteries. Settlement amounts were computed and distributed to class members pursuant to a complicated point system developed by class counsel and defendants' counsel.

Conducted class notice procedures in connection with a large environmental class action matter. Damages allegedly stemmed from contamination clean up costs, diminished property values, and medical monitoring expenses. Notice procedures involved the creation of a database of all household addresses within the affected area, mailing of notices to all identified addresses, and "skip tracing" addresses no longer valid.

PROOF OF SERVICE
(CCP 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On February 22, 2011, I served upon the following parties in this action:

Jay Ian Aboudi
The Law Office of Jay Ian Aboudi
1855 Olympic Blvd., Ste. 210
Walnut Creek, CA 94596
jay@aboudi-law.com

copies of the document(s) described as:

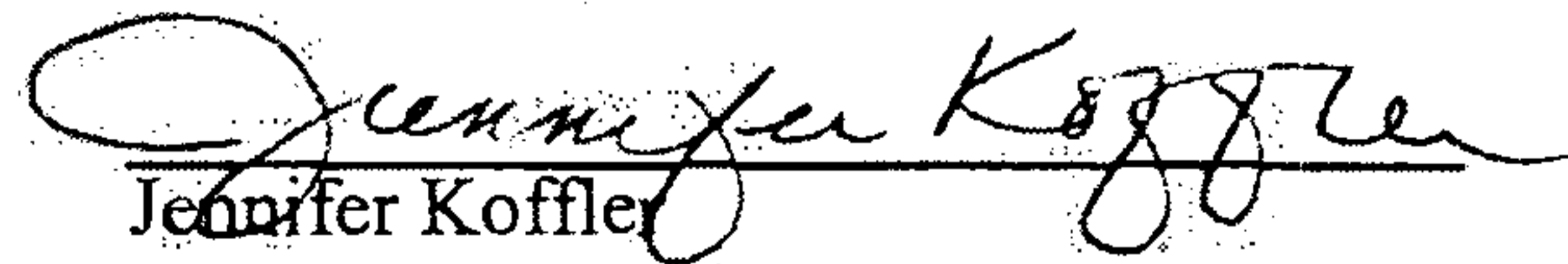
JOINT STIPULATION REGARDING CLASS NOTICE AND [PROPOSED] ORDER

BY MAIL I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

BY OVERNIGHT DELIVERY SERVICE I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and placed the same for collection by Overnight Delivery Service by following the ordinary business practices of Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery Service correspondence, said practice being that in the ordinary course of business, Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service offices for next day delivery the same day as Overnight Delivery Service correspondence is placed for collection.

BY E-MAIL I caused to be transmitted each document listed herein via the e-mail address(es) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on February 22, 2011.


Jennifer Koffler

118212/555975